

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

54TH LEGISLATIVE DAY

TUESDAY, NOVEMBER 13, 2001

12:00 O'CLOCK NOON

No. 54
[Nov. 13, 2001]

The Senate met pursuant to adjournment.
Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.
Prayer by Father William Privette, Christ Episcopal Church,
Springfield, Illinois.
Senator Radogno led the Senate in the Pledge of Allegiance.

Senator W. Jones moved that reading and approval of the Journal
of Wednesday, November 7, 2001 be postponed pending arrival of the
printed Journal.

The motion prevailed.

At the hour of 12:09 o'clock p.m., Senator Weaver presiding.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

The Annual Revenue Report, Fiscal Year 2000, submitted by the
Department of Human Services.

The foregoing report was ordered received and placed on file in
the Secretary's Office.

CONFERENCE COMMITTEES APPOINTED

Pursuant to action taken by the Senate on May 31, 2001, the
President appointed the following Senators to be members of the First
Conference Committee on House Bill No. 2207: Senators Dillard,
Hawkinson and T. Walsh.

Ordered that the Secretary inform the House of Representatives
thereof.

Pursuant to action taken by the Senate on May 31, 2001, the
President appointed the following Senators to be members of the First
Conference Committee on House Bill No. 3247: Senators Donahue,
Karpel and Klemm.

Ordered that the Secretary inform the House of Representatives
thereof.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT ILLINOIS SENATE

November 7, 2001

Mr. Jim Harry
Secretary of the Senate
401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pleased be advised that I have appointed Senator Claude U. Stone,
Jr. to serve on the following standing committees of the 92nd General
Assembly:

[Nov. 13, 2001]

Agriculture and Conservation
Licensed Activities.

These appointments are effective immediately.

Sincerely,

s/James "Pate" Philip
Senate President

cc: Senate Minority Leader Emil Jones
Speaker Madigan
House Minority Leader Daniels
Linda Hawker
Governor Ryan
Legislative Reference Bureau
Legislative Research Unit

MOTIONS IN WRITING

Senator Watson submitted the following Motion in Writing:

I move that Senate Bill No. 74 do pass, the veto of the Governor to the contrary notwithstanding.

DATE: November 7, 2001

Frank Watson
Senator

Senator Link submitted the following Motion in Writing:

I move that Senate Bill No. 326 do pass, the veto of the Governor to the contrary notwithstanding.

DATE: November 7, 2001

Terry Link
Senator

Senator Cullerton submitted the following Motion in Writing:

I move to accept the specific recommendations of the Governor as to Senate Bill 28 in manner and form as follows:

AMENDMENT TO SENATE BILL 28
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 28 as follows:
on page 1, by deleting lines 13 through 16; and
on page 1, line 17, by replacing "(1)" with "(b)"; and
on page 1, line 21, by replacing "(2)" with "(c)"; and
on page 1, line 25, by replacing "(b)" with "(d) (b)".

DATE: November 7, 2001

John Cullerton
Senator

Senator Madigan submitted the following Motion in Writing:

I move to accept the specific recommendations of the Governor as to Senate Bill 175 in manner and form as follows:

AMENDMENT TO SENATE BILL 175
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

[Nov. 13, 2001]

Amend Senate Bill 175 as follows:
 on page 3, line 34, by inserting "or to the dependent children of victims" after "victims"; and
 on page 3, line 34, by replacing "as defined in" with "pursuant to"; and
 on page 4, line 1, by deleting "Section 103 of"; and
 on page 4, line 2, by replacing "to the dependent children of victims of domestic" with "the Domestic Violence Shelters Act"; and
 on page 4, line 3, by deleting "violence"; and
 on page 4, line 3, by inserting "of such a building or other structure" after "feet"; and
 on page 4, line 4, by inserting "\"Domestic violence\" has the meaning ascribed to it in Section 103 of the Illinois Domestic Violence Act of 1986. \"Building or other structure used to provide shelter\" has the meaning ascribed to \"shelter\" in Section 1 of the Domestic Violence Shelters Act." after the period.

DATE: November 7, 2001

Lisa Madigan
 Senator

Senator Cullerton submitted the following Motion in Writing:

I move to accept the specific recommendations of the Governor as to Senate Bill 1046 in manner and form as follows:

AMENDMENT TO SENATE BILL 1046
 IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 1046 on page 1, by replacing lines 8 and 9 with the following:

"(a) Required coverage. No policy of insurance shall be issued or delivered to a condominium association, and no policy of insurance issued to a condominium association shall be renewed, unless the insurance coverage under the policy includes the following:" and
 on page 1, by replacing line 18 with the following:
"the increased costs of construction due to building code requirements, at the time the"; and
 on page 5, by deleting lines 23 through 30; and
 on page 5, line 31, before "Contractors", by inserting the following:
"(i) Certificates of insurance."

DATE: November 7, 2001

John Cullerton
 Senator

The foregoing Motions in Writing were filed with the Secretary and placed on the Senate Calendar.

LEGISLATIVE MEASURE FILED

The following floor amendment to the Senate Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 1 to Senate Bill 1269

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 222

Offered by Senator Sullivan and all Senators:

[Nov. 13, 2001]

Mourns the death of Gary J. Maher of Oak Park.

SENATE RESOLUTION NO. 223

Offered by Senator Sullivan and all Senators:
Mourns the death of Earl W. Lewis of Mount Prospect.

SENATE RESOLUTION NO. 224

Offered by Senator Sullivan and all Senators:
Mourns the death of Kenneth J. Fredricks of Des Plaines.

SENATE RESOLUTION NO. 225

Offered by Senator Sullivan and all Senators:
Mourns the death of Daniel "Danny" Trant of Long Island, New York.

SENATE RESOLUTION NO. 226

Offered by Senator Sullivan and all Senators:
Mourns the death of Robert W. Beart, Sr. of Arlington Heights.

SENATE RESOLUTION NO. 227

Offered by Senator Sullivan and all Senators:
Mourns the death of Frank Albachiaro of Park Ridge.

SENATE RESOLUTION NO. 228

Offered by Senator Sullivan and all Senators:
Mourns the death of Eugene and Betty Bravieri formerly of Niles.

SENATE RESOLUTION NO. 229

Offered by Senator Demuzio and all Senators:
Mourns the death of Thomas B. Ryder of Roodhouse.

SENATE RESOLUTION NO. 230

Offered by Senator Demuzio and all Senators:
Mourns the death of Ellsworth Lander of Bunker Hill.

SENATE RESOLUTION NO. 231

Offered by Senator Demuzio and all Senators:
Mourns the death of T. Paul Marrin, Sr. of Springfield.

SENATE RESOLUTION NO. 232

Offered by Senator Demuzio and all Senators:
Mourns the death of Paul G. Dixon, Jr. of Springfield.

SENATE RESOLUTION NO. 233

Offered by Senator Demuzio and all Senators:
Mourns the death of Deborah Bouillon of Carlinville.

SENATE RESOLUTION NO. 234

Offered by Senator Demuzio and all Senators:
Mourns the death of Joseph H. Kufa of Carlinville.

SENATE RESOLUTION NO. 235

Offered by Senator Demuzio and all Senators:
Mourns the death of Thomas Paul Burns of Carlinville.

SENATE RESOLUTION NO. 236

Offered by Senator Lightford and all Senators:
Mourns the death of Amy Henderson Dillon Hunter, formerly of Chicago.

[Nov. 13, 2001]

The foregoing resolutions were referred to the Resolutions Consent Calendar.

INTRODUCTION OF A BILL

SENATE BILL NO. 1529. Introduced by Senator Madigan, a bill for AN ACT concerning emergency health powers.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1004, sponsored by Senator Madigan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2370, sponsored by Senator Luechtefeld was taken up, read by title a first time and referred to the Committee on Rules.

At the hour of 12:20 o'clock p.m., Senator Watson presiding.

REPORT FROM RULES COMMITTEE

Senator Weaver, Chairperson of the Committee on Rules, during its November 13, 2001 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive: Senate Amendment No. 1 to Senate Bill 1269.

CONSIDERATION OF GOVERNOR'S VETO MESSAGES

Pursuant to Motion in Writing filed and journalized on November 7, 2001, Senator Radogno moved to accept the Governor's specific recommendations for change to Senate Bill No. 1493.

And on that motion, a call of the roll was had resulting as follows:

Yeas 54; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson

[Nov. 13, 2001]

Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Link
 Luechtefeld
 Madigan
 Mahar
 Maitland
 Molaro
 Munoz
 Myers
 Noland
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Ronen
 Roskam
 Shaw
 Sieben
 Silverstein
 Smith
 Stone
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

The motion prevailed.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senator Demuzio asked and obtained unanimous consent for the Journal to reflect his affirmative vote on Senate Bill No. 1493.

Pursuant to Motion in Writing filed on and journalized on November 7, 2001, Senator O'Malley moved that Senate Bill No. 635 do pass, the veto of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 26; Nays 25.

The following voted in the affirmative:

Bomke
 Burzynski

[Nov. 13, 2001]

Donahue
 Dudycz
 Geo-Karis
 Hawkinson
 Jones, W.
 Karpel
 Lauzen
 Luechtefeld
 Mahar
 Maitland
 Myers
 Noland
 O'Malley
 Peterson
 Petka
 Radogno
 Rauschenberger
 Roskam
 Sieben
 Stone
 Syverson
 Viverito
 Walsh, T.
 Watson

The following voted in the negative:

Bowles
 Clayborne
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Halvorson
 Hendon
 Jacobs
 Jones, E.
 Link
 Madigan
 Molaro
 Munoz
 O'Daniel
 Parker
 Ronen
 Shaw
 Silverstein
 Smith
 Sullivan
 Trotter
 Walsh, L.
 Welch
 Woolard

The motion having failed to receive the vote of three-fifths of the members elected was lost.

Pursuant to Motion in Writing filed on and journalized on November 7, 2001, Senator O'Malley moved that Senate Bill No. 1304 do pass, the veto of the Governor to the contrary notwithstanding.

[Nov. 13, 2001]

And on that motion, a call of the roll was had resulting as follows:

Yeas 26; Nays 25.

The following voted in the affirmative:

Bomke
Cronin
Donahue
Dudycz
Geo-Karis
Hawkinson
Jones, W.
Karpel
Lauzen
Luechtefeld
Mahar
Maitland
Myers
Noland
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Roskam
Sieben
Walsh, T.
Watson
Weaver
Mr. President

The following voted in the negative:

Clayborne
Cullerton
DeLeo
del Valle
Demuzio
Halvorson
Hendon
Jacobs
Jones, E.
Link
Madigan
Molaro
Munoz
O'Daniel
Ronen
Shaw
Silverstein
Smith
Stone
Sullivan
Trotter
Viverito
Walsh, L.
Welch
Woolard

[Nov. 13, 2001]

The motion having failed to receive the vote of three-fifths of the members elected was lost.

LEGISLATIVE MEASURE FILED

The following floor amendment to the Senate Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 2 to Senate Bill 88

At the hour of 12:50 o'clock p.m., on motion of Senator Jacobs, the Senate stood adjourned until Wednesday, November 14, 2001 at 12:00 o'clock noon.

[Nov. 13, 2001]